

Approved: _____

JANE KIM

Assistant United States Attorney

Before: HONORABLE PAUL E. DAVISON
United States Magistrate Judge
Southern District of New York

20-MJ-9448

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: COMPLAINT
UNITED STATES OF AMERICA :
: Violations of 18 U.S.C.
- v. - : §§ 875, 2261A, and 2.
:
DAVID KAUFMAN, : COUNTY OF OFFENSE:
a/k/a "David Khalifa," : WESTCHESTER
a/k/a "John Morray," :
a/k/a "Big Man," :
Defendant. :
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SOUTHERN DISTRICT OF NEW YORK, ss.:

JACQUELINE ROSS, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI"), and a member of the FBI's Joint Terrorism Task Force ("JTTF"), and charges as follows:

COUNT ONE

(Threatening Interstate Communications)

1. From at least in or about October 2019, up to and including in or about August 2020, in the Southern District of New York and elsewhere, DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant, knowingly transmitted in interstate and foreign commerce a communication containing a threat to injure the person of another, to wit, KAUFMAN sent messages threatening violence to a woman ("Victim-1") and to Victim-1's boyfriend ("Victim-2"), via cellphone and numerous social media accounts.

(Title 18, United States Code, Sections 875(c) and 2.)

COUNT TWO

(Stalking)

2. From at least in or about October 2019, up to and including in or about August 2020, in the Southern District of New York and elsewhere, DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant, with the intent to kill, injure, harass, intimidate, and place under surveillance with intent to kill, injure, harass, and intimidate another person, used the mail, interactive computer services and electronic communication services and electronic communication systems of interstate commerce, and other facilities of interstate and foreign commerce to engage in a course of conduct that (a) placed that person in reasonable fear of the death of and serious bodily injury to that person and that person's family member or intimate partner, and (b) caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to that person, to wit, KAUFMAN used a cellphone and social media accounts to send Victim-1, Victim-2, and others violent and threatening messages.

(Title 18, United States Code, Sections 2261A(2)(A),
2261A(2)(B), 2266, and 2.)

The bases for my knowledge and the foregoing charges are, in part, as follows:

3. I am a Special Agent with the FBI and a member of the FBI's New York-based JTTF, and I have been personally involved in the investigation of this matter. This affidavit is based in part upon my conversations with law enforcement agents and other people, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Overview

4. DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant, self-identifies as an "Incel" or an "Involuntary Celibate" -- an individual who adheres to a violent and misogynist ideology of male supremacy, white supremacy, and entitlement to sex with women. Between in or about

October 2019 and in or about August 2020, KAUFMAN used numerous social media accounts to repeatedly send violent and threatening messages to Victim-1, Victim-2, and others in efforts to harass, intimidate, and threaten to harm them, in part to retaliate against Victim-1 and others for rejecting and depriving him of sex to which he believed he was entitled.

Background on "Incels"

5. Based on my training and experience, my participation in this investigation, my review of "Incel" chat groups and websites and publicly available news articles, and my conversations with other law enforcement officers, I have learned the following, among other things:

a. "Incels," or the "Involuntary Celibate," are individuals, typically heterosexual, white males, who adhere to a violent and misogynist ideology of male, white supremacy, and a commitment to the dominion, rape, and sexual assault of women, among other forms of violence. Incels believe that they are entitled to sex with women and to women's bodies, and they blame women for refusing to have sex with them.

b. Incels have an active online community, including online chat rooms and message boards in which Incels often discuss, among other things, their hatred of women, their hatred of feminists and feminism, how to get away with rape, how to drug women so that they can be raped, and specific women who should be targeted.

c. Over the last six years, Incels have committed acts of violence against women across the world, including in the United States. For example, in or about 2014, a self-proclaimed Incel named Elliot Rodger declared a "War on Women" and killed six people and injured fourteen others near a college campus in California. Prior to these attacks, Rodger posted a video manifesto online, in which he explained that he planned his attack to punish women for rejecting him and for depriving him of sex, and to punish sexually active men because he envied them.

KAUFMAN's Accounts

6. Based on my conversations with New York State Police ("NYSP") officers and my review of NYSP reports, and as described below, see *infra* ¶ 13, I have learned that on or about July 13, 2020, NYSP personnel interviewed DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant. During the interview, KAUFMAN provided his cellphone

number (the "Kaufman Cellphone") to the NYSP, and informed law enforcement, among other things, that he had attended a certain high school (the "High School").

7. Based on my conversations with Victim-1, Victim-2, law enforcement officers, and others, my review of text messages sent by DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant, from the Kaufman Cellphone to Victim-2's cellphone, and my review of social media posts and messages sent to Victim-1, Victim-2, and others, I have learned that from in or about October 2019 through in or about August 2020, KAUFMAN created and used various social media accounts to contact and send threatening messages to Victim-1, Victim-2, and others, including at least two friends of Victim-1 and Victim-2 ("Victim-4" and "Victim-5"). For example:

a. In or about June 2020, an individual ("Individual-1") who had saved KAUFMAN and the Kaufman Cellphone as a contact in Individual-1's cellphone, received a notification from Twitter that an account ("Kaufman Account-1") was associated with the Kaufman Cellphone.

b. On or about July 11, 2020, the user of a certain Twitter account ("Kaufman Account-2") posted the following message: "Women have done nothing but spit in my face. Soon I'll be getting a gun." Kaufman Account-2 also posted messages to four of Victim-1's friends' Twitter accounts. The user name for Kaufman Account-2 is "[Victim-2's First Name] beats [Victim-1's First Name]" and the account name is "@Beats[Victim-1's First Name]". As discussed below, see *infra* ¶¶ 9(c), 10(b)(ii), beginning in or about October 2019, KAUFMAN began sending Victim-1 messages falsely alleging that Victim-2 was beating Victim-1.

c. On or about July 12, 2020, the user of a certain Twitter account ("Kaufman Account-3") posted the call number for the Kaufman Cellphone as his cellphone number and sent the following message to a friend of Victim-1: "Can we please talk on the phone? Shoot me a text when you're ready [Call Number for the Kaufman Cellphone]." Also on or about July 12, 2020, Kaufman Account-3 posted a message on Twitter quoting Elliot Rodger and sent the quote to two of Victim-1 and Victim-2's friends.

i. In or about June 2020, an individual ("Individual-2"), who had saved KAUFMAN and the Kaufman Cellphone as a contact in Individual-2's cellphone, received a notification from Twitter that a Twitter account associated with the Kaufman Cellphone ("Kaufman Account-4") had been created. The user name

for Kaufman Account-4 is Victim-2's first and last names, and the account name includes Victim-2's first and last name. Victim-2 did not create and has never used Kaufman Account-4.

ii. On or about July 8, 2020, the user of a certain Twitter account ("Kaufman Account-5") posted a message calling himself "Big Man" and referring to the Second Amendment and his desire to "become an expert at hunting." As discussed below, see *infra* ¶ 13, KAUFMAN admitted to law enforcement officers that he had referred to himself as "Big Man" in a threatening note to a woman ("Victim-3").

iii. As described below, see *infra* ¶ 10(a)(iii), in or about July 2020, the user of a certain Twitter account ("Kaufman Account-6") posted the following messages, referring to himself as "Big Man" and referencing his interest in Victim-1, his inability to talk to Victim-1, and his and Victim-1's death.

iv. On or about August 16, 2020, Victim-1, who had saved KAUFMAN and the Kaufman Cellphone as a contact in Victim-1's cellphone, received a notification from Twitter that a Twitter account ("Kaufman Account-7") was associated with the Kaufman Cellphone. The user name for Kaufman Account-7 is KAUFMAN's first name ("David") and the account name includes KAUFMAN's first name. The profile picture for Kaufman Account-7 appears to be a photograph of KAUFMAN licking a picture of Victim-1.

d. Based on my review of the publicly available content associated with a certain YouTube Account ("Kaufman Account-8") and my review of social media posts and messages sent by accounts associated with KAUFMAN, I have learned the following, among other things:

i. The user of Kaufman Account-8 is listed as having joined YouTube in or about October 2011. Based on my conversations with other law enforcement officers, I understand that the user name for the account includes a nickname for KAUFMAN ("davey").

ii. The user of Kaufman Account-8 has posted videos of an individual who appears to be KAUFMAN, playing the guitar in a uniform bearing the logo of KAUFMAN's employer.

e. Based on my conversations with Victim-1 and Victim-2, and my review of Facebook posts and messages involving a certain Facebook account ("Kaufman Account-9"), I have learned

that the user name for Kaufman Account-9 is KAUFMAN's first and last name, and the profile photograph for Kaufman Account-9 appears to be a photograph of KAUFMAN.

8. Based on the foregoing, I believe that Kaufman Accounts-1 through -9, among others, belong to and have been used by DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant.

**KAUFMAN Sends Threatening Messages to Victim-1, Victim-2,
and Others**

9. Based on my conversations with Victim-1, Victim-2, an NYSP investigator ("Investigator-1"), and others, and my review of social media posts and messages that DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant, posted and sent to Victim-1, Victim-2, and others, I have learned the following, in substance and in part:

a. Victim-1 and Victim-2, who are a couple, first met KAUFMAN in or about September 2012 while they were students attending a college on Long Island, New York (the "College").

b. Between in or about 2014 and in or about October 2019, Victim-1 and Victim-2 were not in communication with KAUFMAN.

c. Beginning in or about October 2019, KAUFMAN, using Kaufman Account-9, began sending Victim-1 messages on Facebook, including messages about KAUFMAN's identification as an Incel and false allegations that Victim-2 was beating Victim-1. For example, KAUFMAN commented on a post by Victim-1, stating, among other things: "It goes to show that Chads like [Victim-2's First Name] can literally say ANYTHING and have everyone love them no matter what. While incels are FUCKED and have no one give a shit about them no matter how good their confidence or personality is And yes you don't 'Love [Victim-2's First Name] You're helplessly sexually attracted to his Chad face. And you can't bring yourself to admit that." Based on my training and experience, I know that "Chad" is an Incel term that refers to an archetypal white alpha male.

d. On or about October 27, 2019, as a result of these messages, Victim-1 blocked KAUFMAN from accessing certain of Victim-1's social media accounts. KAUFMAN then used a certain YouTube account ("Kaufman Account-10") to message Victim-1 via Victim-1's YouTube channel, and stated, in substance and in part,

that Victim-2 was a weak boyfriend and that if Victim-2 was an Incel, he would have already killed himself.

10. Based on my conversations with Victim-1 and Victim-2, and my review of text messages and social media posts and communications sent by DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant, I have learned the following, in substance and in part:

a. On or about April 26, 2020, KAUFMAN, using Kaufman Account-9, exchanged the following messages with Victim-4:

KAUFMAN: Fuck you bitch

You know what you are

Fucken whore

Women shouldn't reject me so Goddam much

They won't give me the time of fucken day

It should be illegal for a woman to say no

I'll have sex with a woman one day. One way or another [wink emoji.]

Victim-4: Like the one that you paid for?

KAUFMAN: Well there is that, and then there is the other way.

Victim-4: So, rape. You're talking about rape.

KAUFMAN: Haha

They won't ever say yes, let's put it that way.

i. On or about June 24, 2020, KAUFMAN, using Kaufman Account-1, sent the following message to Victim-1: "Hey wanna hear a joke? What's worse than 10 Stacy's nailed to one tree? One Stacy nailed to ten trees [laughing crying face emoji]." Based on my training and experience, I know that "Stacy" is an Incel term that refers to the female counterpart to a "Chad," or an attractive female who rejects or refuses to have sex with an Incel, are hated by Incels, and are targeted by Incels for harassment, vitriol, humiliation, and violence.

ii. On or about June 29, 2020, KAUFMAN, using the Kaufman Cellphone, sent a series of messages to Victim-2. KAUFMAN initially identified himself as "David Khalifa," and then as "David K." These messages included an image of one of Elliot Rodger's victims, a deceased female who had been stabbed to death, accompanied by the following message: "This is what happened when a woman said 'no' to Elliot Rodger Hopefully [Victim-1's First Name] never said no to someone just like Elliot Rodger."

iii. In or about July 2020, KAUFMAN, using Kaufman Account-6, posted the following messages: "I may not be able to talk to [Victim-1's First Name], but at least I can jerk off to her insta pics" and "Don't piss off BIG MAN" and "When [Victim-1's First Name] and I are dead, we'll be in heaven together forever."

iv. On or about July 8, 2020, KAUFMAN, using a certain Instagram account ("Kaufman Account-11"), posted the following comment on a post by a friend of Victim-1 and Victim-2 who had also attended the College: "[Victim-1's First Name] unfortunately never cared at all about me and just took advantage of my suffering for a moral high. I guess I'll just have to move on and focus on my dream of becoming an expert hunter . . . it sure is a good thing the second amendment exists [smiley face]."

v. On or about July 8, 2020, KAUFMAN, using Kaufman Account-5, posted the following message addressed to Victim-5: "Big man LOVES the second amendment [smiley face] . . . My dream is to become an expert at hunting"

vi. On or about July 11, 2020, KAUFMAN, using Kaufman Account-2, with user name "[Victim-2's First Name] beats [Victim-1's First Name] hard," sent the following message to Victim-1: "Women have done nothing but spit in my face. Soon I'll be getting a gun."

vii. On or about July 13, 2020, the user of a certain Twitter account ("Kaufman Account-12") with user name "[Victim-1's First Name] gags hard" and account name "@GagsHard" sent the following private messages to a female friend of Victim-1 and Victim-2 using a slang abbreviation for the High School: "Can u come over to my house so that we can smash?", "Fuck [High School abbreviation]!!", and "Someone should teach those shits what the second amendment is all about."

viii. In or about July 2020, KAUFMAN, using a certain Twitter account ("Kaufman Account-13") sent the following message to a friend of Victim-1: "Can I pinch your nose while

having u suck my cock so u can't breathe?" This violent message is similar to the message sent by the user of Kaufman Account-4 in or about June 2020, see *infra* ¶ 10(b)(i). In addition, the user of Kaufman Account-13 contacted approximately four of Victim-1's friends on Twitter and posted the following message, using an Incel term and a slang abbreviation for the High School: "I HATE the normies from [High School abbreviation]." Based on my training and experience and my conversations with other law enforcement officers, I know that the Incel term "normies" refers to those who are not part of the Incel community.

ix. On or about July 9, 2020, KAUFMAN, using Kaufman Account-5, posted the following message addressed to Victim-5: "One day I wanna teach people what the second amendment is all about [smiley face]."

x. On or about July 12, 2020, KAUFMAN, using Kaufman Account-3, posted the following messages on Twitter: "A beautiful environment is the darkest hell, if you have to experience it all alone . . . -Elliot Rodger" and "I don't think [Victim-1's First Name] will be laughing too much later on".

xi. On or about August 2, 2020, KAUFMAN sent the following messages to a female friend of Victim-1 and Victim-2 on Twitter: "Death is good[.]" and "Not all heroes wear capes. Sometimes, they wear shirts over their face. Fun fact! I know where you live . . ."

xii. On or about August 16, 2020, KAUFMAN, using Kaufman Account-7, uploaded a profile picture of himself licking a photograph of Victim-1.

b. As described above, see *supra* ¶ 7(c)(i), beginning in or about June 2020, KAUFMAN appears to have created social media accounts using the names of Victim-1, Victim-2, and impersonated Victim-1 and Victim-2, among others, online. For example:

i. In or about June 2020, KAUFMAN created Kaufman Account-4, with Victim-2's first and last names as the user name and Victim-2's first and last names as part of the account name. With this account, KAUFMAN sent sexually explicit and violent messages, holding himself out as Victim-2. For example, on or about June 20, 2020, KAUFMAN publicly posted the following message addressed to a friend of Victim-1 and Victim-2: "Can I pinch your nose while I hardcore fuck ur face so you can't breathe?"

ii. In or about July 2020, KAUFMAN created an Instagram account using Victim-1's first and last names and photograph. With this account, KAUFMAN began sending messages to Victim-1's friends, holding himself out as Victim-1. In one message, KAUFMAN, claiming to be Victim-1, falsely alleged that Victim-2 was beating Victim-1.

KAUFMAN's Statements to Law Enforcement

11. Based on my conversations with an officer ("Officer-1") of the Stamford Police Department ("SPD") and my review of SPD reports and records, I have learned that on or about June 30 and July 1, 2020, Officer-1 communicated by phone with DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant, and asked KAUFMAN to stop harassing Victim-1 and Victim-2. KAUFMAN stated, in substance and in part, that he did not believe that Officer-1 was a real police officer, but that he would stop harassing Victim-1 and Victim-2.

12. Based on my conversations with NYSP and SPD officers and investigators and my review of NYSP and SPD reports and records, I have learned that on or about July 1, 2020, an NYSP investigator ("Investigator-1") notified KAUFMAN that he was suspected of sending unwanted images and messages to Victim-1 and Victim-2. KAUFMAN told Investigator-1 that he would stop sending messages to Victim-1 and Victim-2.

13. On or about July 13, 2020, Investigator-1 and two Postal Inspectors of the U.S. Postal Inspection Service interviewed DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant. Based on my review of reports of those interviews and my conversations with Investigator-1, I have learned that during the interview, the following occurred, in substance and in part:

a. KAUFMAN was advised of his *Miranda* rights, waived them, and agreed to speak with law enforcement.

b. KAUFMAN said that he was an Incel and identified with Elliot Rodger's ideology and manifesto.

c. KAUFMAN admitted that he had assumed the identities of Victim-1 and Victim-2 by creating social media accounts in their names. KAUFMAN also admitted that he had sent Victim-2 a screenshot of one of Elliot Rodger's murder victims accompanied by a text message for Victim-1, see *supra* ¶ 10(a)(ii).

i. KAUFMAN was shown a photocopy of a handwritten note (the "Note") that was delivered in or about February 2019 to Victim-3's mailbox. The Note read as follows:

Open up, Read Me. For [Victim-3]. Bomb in mailbox. From Big Man. I will rape you till you cry at my house. [Certain address] in P-Ville. Fuck you. I'm going to tear your skin off and rape your face open stupid whore!!! And the next time it will be a BOMB!! Cunt I will rape you endlessly. Your[sic] going to die.

After reviewing the note, KAUFMAN admitted that he had written the note and left it in Victim-3's mailbox because Victim-3 is a young, attractive female whom KAUFMAN believed would not give him the attention to which he was entitled.

14. On or about July 14, 2020, DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant, was charged in the Town of Cortlandt Justice Court in Westchester County, New York, with three misdemeanors: two counts of aggravated harassment in the second degree, in violation of New York Penal Law § 240.30; and one count of identity theft in the third degree, in violation of New York Penal Law § 190.78. In connection with these charges, the judge issued an order of protection ordering KAUFMAN to, among other things: stay away from Victim-1, Victim-2, and Victim-3; refrain from communication or any other contact with Victim-1, Victim-2, and Victim-3; and refrain from harassing, intimidating, threatening or otherwise interfering with Victim-1, Victim-2, and Victim-3.

15. As discussed above, DAVID KAUFMAN, a/k/a "David Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant, continued to send harassing and threatening messages to Victim-1 and Victim-2 notwithstanding the criminal charges, order of protection, and his conversations with law enforcement.

WHEREFORE, your deponent respectfully requests that a warrant be issued for the arrest of DAVID KAUFMAN, a/k/a "David

Khalifa," a/k/a "John Morray," a/k/a "Big Man," the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.

/s/ Jacqueline Ross (credentials inspected # 72501)
Special Agent Jacqueline Ross
Federal Bureau of Investigation
Joint Terrorism Task Force

Sworn to before me this
3rd day of September, 2020

A handwritten signature in black ink, appearing to read 'P. E. Davison', with a horizontal line extending to the right.

HONORABLE PAUL E. DAVISON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK